

**Meeting Notice**  
**City of Warwick**  
**Planning Board**

**Date: Wednesday, March 2, 2005**

**Time: 7:00 p.m.**

**Location: Warwick City Hall**  
**Lower Level Conference Room**  
**3275 Post Road**  
**Warwick, RI 02886**

**Review and acceptance of February 2005 meeting minutes.**

**Public Meeting**

**Minor Subdivision Preliminary Approval**

**Rouleau – Williams Plat**

**Applicant: Roland Rouleau**

**Location: 3 - 5 Blackmore Street**

**Assessor's Plat: 220**

**Lot(s): 120 through 122**

**Zoning District: Residential A-7**

**Land Area: 19,039 Square Feet**

**Number of lots: 2**

**Engineer: Alpha Associates, LTD.**

**Ward: 9**

**The applicant is requesting preliminary approval to subdivide three lots, to create two new lots, one lot with an existing two-family dwelling and one new lot for development on an existing street in a Residential A-7 Zoning District.**

### **Planning Department Findings**

**The Planning Department finds this proposal to be generally consistent with Article 1 “Purposes and General Statements” of the City’s Development Review Regulations, and:**

- 1) Generally consistent with the Comprehensive Community Plan.**
- 2) In compliance with the standards and provisions of the City’s Zoning Ordinance.**
- 3) That there will be no significant negative environmental impacts from the proposed development.**

**4) That the development will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable, and:**

**5) That the proposed subdivision possesses adequate and permanent access to a public street.**

### **Planning Department Recommendation**

**The Planning Department recommendation is to grant preliminary approval with final approval to be through the Administrative Officer upon compliance with the following stipulations.**

**1) That the final site plan shall include soil erosion control measures and roof runoff to be directed into drywells.**

**2) That the applicant shall protect the existing evergreen tree as well as the trees located along the southern property line with drip-line tree protection measures to be inspected by the City's Landscape Project Coordinator prior to the commencement of any construction activity.**

### **Public Meeting**

### **Minor Subdivision Preliminary Approval**

**Spagnolo – 187 Major Potter Road**

**Applicant: Robert & Cherine Spagnolo**

**Location: 187 Major Potter Road**

**Assessor's Plat: 233**

**Lot(s): 231**

**Zoning District: Residential A-15**

**Land Area: 2.62 Acres**

**Number of lots: 2**

**Engineer: DiPrete Engineering Associates, Inc.**

**Ward: 9**

**The applicant is requesting preliminary approval to subdivide one lot to create two new lots, one lot with an existing residence and one new lot for development on an existing street in a Residential A-15 Zoning District.**

### **Planning Department Findings**

**The Planning Department finds this proposal to be generally consistent with Article 1 “Purposes and General Statements” of the City’s Development Review Regulations, and:**

- 1) Generally consistent with the Comprehensive Community Plan.**

- 2) In compliance with the standards and provisions of the City's Zoning Ordinance.**
- 3) That there will be no significant negative environmental impacts from the proposed development.**
- 4) That the development will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable, and:**
- 5) That the proposed subdivision possesses adequate and permanent access to a public street.**

#### **Planning Department Recommendation**

**The Planning Department recommendation is to grant preliminary approval with final approval to be through the Administrative Officer upon compliance with the following stipulations:**

- 1) That the final site plan shall include all existing utilities including, but not limited to, water, drainage, gas and electric.**
- 2) That the applicant shall provide details including the size/weight of boulders used to construct the proposed retaining wall.**

**3) That the applicant shall protect the existing Sycamore Maple tree with drip-line tree protection measures to be inspected by the City's Landscape Project Coordinator prior to the commencement of any construction activity.**

**4) Trenching around the white barked tree located adjacent to utility pole #10 shall be kept to a minimum and shall be inspected by the City's Landscape Project Coordinator prior to the commencement of any construction activity.**

## **Public Meeting**

### **Minor Subdivision Preliminary Approval**

#### **Jencks Plat**

**Applicant: Samuel L. and Anna R. Jencks**

**Location: 564 Long Street**

**Assessor's Plat: 365**

**Lot(s): 236**

**Zoning District: Residential A-7**

**Land Area: 16,528 Square Feet**

**Number of lots: 2**

**Engineer: David Gardner & Associates, Inc.**

**Ward: 7**

**The applicant is requesting preliminary approval to subdivide one lot to create two new lots, one lot with an existing dwelling and one new lot for development on an existing street in a Residential A-7 Zoning District.**

### **Planning Department Findings**

**The Planning Department finds this proposal to be generally consistent with Article 1 “Purposes and General Statements” of the City’s Development Review Regulations, and:**

- 1) Generally consistent with the Comprehensive Community Plan.**
- 2) In compliance with the standards and provisions of the City’s Zoning Ordinance.**
- 3) That there will be no significant negative environmental impacts from the proposed development.**
- 4) That the development will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable, and:**
- 5) That the proposed subdivision possesses adequate and permanent**

**access to a public street.**

## **Planning Department Recommendation**

**The Planning Department recommendation is to grant preliminary approval with final approval to be through the Administrative Officer upon compliance with the following stipulations:**

- 1) That the applicant shall receive Warwick Sewer Authority approval for a sewer connection prior to final approval.**
- 2) That the developer shall protect the existing trees, as noted on the Landscape Project Coordinator Plan, with drip-line tree protection measures to be inspected by the City's Landscape Project Coordinator prior to the commencement of any construction activity.**
- 3) That the proposed driveway and garage shall be located on the northerly side of the property, as depicted on the proposed plan.**

## **Public Hearing**

### **Major Subdivision on an Existing Street**

#### **Dudley Avenue**

**Applicant: Nicholas DelSesto**



**Location: 64 Dudley Avenue**

**Assessor's Plat: 317**

**Lot(s): 212, 214, 215 & 216**

**Zoning District: Residential A-7**

**Land Area: 16,248 Square Feet**

**Number of lots: 2**

**Engineer: K. Andrews Associates Inc.**

**Ward: 4**

**The applicant is requesting preliminary approval to subdivide four undersized nonconforming merged lots totaling 16,248 square feet to create two new nonconforming lots for development with sufficient area and less than the required frontage and lot width on an existing street in a Residential A-7 Zoning District.**

### **Planning Department Findings**

**The Planning Department finds this proposal to be generally consistent with Article 1 "Purposes and General Statements" of the City's Development Review Regulations, and:**

- 1) Generally consistent with the Comprehensive Community Plan.**
- 2) In compliance with the standards and provisions of the City's Zoning Ordinance, having received Zoning Board of Review relief (Petition #9100) to have two lots with less than the required frontage**

and lot width.

3) That there will be no significant negative environmental impacts from the proposed development.

4) That the development will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable, and:

5) That the proposed subdivision possesses adequate and permanent access to a public street.

### **Planning Department Recommendation**

The Planning Department recommendation is to grant a combined preliminary/final approval.

### **Public Hearing**

**MinorMajor Subdivision on an Existing StreetPreliminary**

**Seaback – Berkeley Plat**

**K-Mart/Michael's**

**Applicant: Elaine Enterprises and Scott Seaback**

**Applicant: CSDV, Limited Partnership**

**Location: 46 Berkeley1500 Bald Hill Road**

**Assessor's Plat: 220241**

**Lot(s): 1812**

**Zoning District: Residential A-10General Business**

**Land Area: 28,916 square feet13.91 Acres**

**Number of lots: 2**

**Engineer: AlphaMeridian Associates**

**Ward: 89**

**The applicant is requesting preliminary approval to subdivide one lot totaling 13.91 acres to create two lots with existing buildings; one lot with less than required parking and rear and side yard setbacks and one lot with less than required side yard setback in a General Business zone. No new construction is proposed.**

### **Planning Department Findings**

**The Planning Department finds this proposal to be generally consistent with Article 1 "Purposes and General Statements" of the City's Development Review Regulations, and:**

- 1) Generally consistent with the Comprehensive Community Plan.**
- 2) In compliance with the standards and provisions of the City's Zoning Ordinance having received Zoning Board of Review approval (Petition #7434) to have a building with less than the required parking**

**and rear and side yard setbacks and a building with less than the required side yard setbacks.**

**3) That there will be no significant negative environmental impacts from the proposed development.**

**4) That the development will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable, and:**

**5) That the proposed subdivision possesses adequate and permanent access to a public street.**

### **Planning Department Recommendation**

**The Planning Department recommendation is to grant a combined preliminary/final approval.**

### **Public Informational Meeting**

### **Major Change to a Major Land Development Project**

**L'Europa Medical Office**

**Applicant: Old Key West Realty, LLC**

**Location: 227 Centerville Road**

**Assessor's Plat: 246**

**Lot(s): 244, 245, 274 & 319**

**Zoning District: Office**

**Land Area: 3.34 Acres**

**Number of lots: NA**

**Engineer: Waterman Engineering Co.**

**Ward: 8**

**This applicant is requesting Master Plan approval for the removal of a Planning Board stipulation prohibiting the basement for use as examination rooms in an existing medical office building with less than the required landscaping, building and parking setbacks and greater than the allowed building height in an Office Zoning District.**

### **Planning Department Findings**

**The Planning Department finds this proposal not to be generally consistent with Article 1 "Purposes and General Statements" of the City's Development Review Regulations, specifically the proposal is contrary to Section 1.1.1 d. Purpose, the project does not "Promote high quality, and appropriate design and construction of land development projects." The project was originally designed and approved with limited parking; the applicant is now proposing to introduce an additional use (clinic) in the basement of the building without supplying the required parking.**

**The approval included the stipulation that the basement shall not be utilized for examination rooms as a result of insufficient parking. This stipulation was supported by the applicant's engineer who affirmed that the project was deficient do to the required number of parking spaces and that the spaces were not necessary because the basement would not be occupied.**

**1) Generally consistent with the Comprehensive Community Plan**

**2) Not in compliance with the standards and provisions of the City's Zoning Ordinance having an existing Zoning Board of Review approval (Petition # 8657) stipulating that the basement would not be utilized as examination rooms.**

**According to the Zoning Board decision letter, the applicants engineer presented testimony that the property was deficient 51 parking spaces and that the spaces were not necessary because the basement would not be occupied.**

**Also that the proposed use constitutes a clinic which requires a Special Use Permit (SUP) to be issued by the City's Zoning Board of Review (ZBR). In order to qualify for a SUP, the property must conform to all aspects of the City's Zoning Ordinance. The fact that the property is deficient in several aspects of the zoning ordinance, in particular having less than the required parking precludes the**

**issuance of a Special Use Permit.**

**3) That there will be no significant negative environmental impacts from the proposed development.**

**4) That the development will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable, and**

**5) That the proposed subdivision possesses adequate and permanent access to a public street.**

### **Planning Department Recommendation**

**The Planning Department recommendation is not to remove the stipulation restricting the use of the basement for examination rooms.**

### **Public Informational Meeting**

### **Major Land Development Project Master Plan Approval and Recommendation for a Zone Change**

**St. Timothy's**

**Applicant: Russell DePetrillo**

**Location: 101 Lake Shore Dr.**

**Assessor's Plat: 320**

**Lot(s): 179**

**Zoning District: Residential A-7 to Planned District Residential (PDR)  
A-7**

**Land Area: 1.59 Acres**

**Number of lots: NA**

**Engineer: National Surveyors – Developers, Inc.**

**Ward: 4**

**The applicant is requesting Master Plan Approval and a recommendation for a Zone Change to convert a former elementary school building into a 19-unit multi-family residential condominium complex with less than the required front and side yard building setbacks, less than the required parking setbacks from buildings and abutting properties, less than the required landscape buffers, less than the required dumpster setback and proposed two points of access to Lake Shore Drive in a Residential A-7 Zoning District.**

**Planning Department Findings for the Major Land Development Project**

**The Planning Department finds this proposal to be generally consistent with Article 1 “Purposes and General Statements” of the City’s Development Review Regulations, and:**



- 1) Generally consistent with the Comprehensive Community Plan.**
- 2) Not in compliance with the standards and provisions of the City's Zoning Ordinance, therefore requiring a City Council Zone change to Planned District Residential (PDR) A-7 with relief from the following zoning requirements as presented in Zoning Ordinance Section 308 "Planned District Residential:"**
  - a) Less than the required front and side yard building setbacks.**
  - b) Less than the required parking setbacks from buildings and abutting properties.**
  - c) Less than the required landscape buffers.**
  - d) Less than the required dumpster setback.**
  - e) Proposed two points of access to Lake Shore Drive.**
- 3) That there will be no significant negative environmental impacts from the proposed development.**
- 4) That the development will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable, and:**
- 5) That the proposed development possesses adequate and permanent access to a public street.**

## **Planning Department Recommendation for the Land Development**

**Planning Department recommendation is to grant Master Plan approval with the following stipulations:**

- 1) That the Warwick City Council shall approve the requested zone change to Planned District Residential (PDR) A-7.**
- 2) That the development shall include a ten (10) foot landscape buffer along abutting lot #153 as required in Zoning Ordinance Section 308.2(D) “Off-street parking and landscaping.”**
- 3) That the Developer shall eliminate one of the proposed driveway access points on Lake Shore Drive.**
- 4) That the Development shall require 2.5 parking spaces per dwelling unit in order to provide sufficient visitor parking and to eliminate the potential for on street parking.**
- 5) That the proposed dumpster shall be relocated away from the abutting residential properties; in conformance with the City’s zoning requirements.**
- 6) A Physical Alteration Permit (PAP) from the City’s Public Works Department will be required for the proposed Lake Shore Drive**

**access.**

**7) That the development shall be master metered, that separate water taps shall be required for domestic and fire prevention needs and that backflow protection shall be installed directly after the domestic meter.**

**8) That any outside irrigation and any fire service shall require a double check detector device.**

**9) That the existing garage located on abutting lot #372 should relocate the overhead door (currently facing the subject lot #179) in order to provide building access from lot #372.**

**10) That the Developer must collaborate with the Planning Department for architectural review of the proposed development in order to create a design that is reflective of the residential character of the City and promote a high level of quality of design.**

**11) That the requested number of dwelling units shall be reduced from nineteen (19) units to fourteen (14) units as a result of traffic issues (in particular cut-through traffic) in the area, the reduction of on site parking resulting from the inclusion of a landscape buffer adjacent to abutting lot #153 and the necessity for visitor parking as determined by the Planning Board.**

**It should noted that the subject property could be subdivided into approximately seven single-family house lots and according to the Institute of Transportation Engineers (ITE) Trip Generation Manual the comparative condominium traffic generation would be approximately fourteen residential dwelling units.**

### **Planning Department Findings for the requested Zoning Change**

**The Planning Department finds this proposal to be in compliance with the City's Comprehensive Plan including the Goals and Policies Statement, the Implementation Program, the Land Use Element and the Housing Element. The Planning Department also finds the proposed zoning amendment to be generally consistent with the following purposes of the City's Zoning Ordinance as presented in Section 100 "Title and Purpose":**

**103.1 Promote the public health, safety and general welfare of the City.**

**103.2 Provided for a range of uses and intensities of use appropriate to the character of the city and reflects current and future needs.**

**103.3 Provides for orderly growth and development, which recognizes:**

**(A) The goals and patterns of land use contained in the**

## **Comprehensive Plan of the City.**

**(F) The need to shape and balance the urban and suburban development.**

**(G) The use of innovative development regulations and techniques.**

**103.8 Promote a balance of housing choices, for all income levels and groups.**

**103.10 Promotes a high level of quality in design in the development of private and public facilities.**

**103.11 Promotes implementation of the Warwick Comprehensive Community Plan, as amended.**

## **Planning Department Recommendation for the Zone Change**

**Planning Department recommends favorable action to the Warwick City Council for a zone change with all of the stipulations recommended for Master Plan approval.**

## **Public Informational Meeting**

## **Major Land Development Project Master Plan Approval and**

## **Recommendation for a Zone Change**

### **Woodfield Farm**

**Applicant: Woodfield Farm, L.L.C.**

**Location: Toll Gate Road**

**Assessor's Plat: 247**

**Lot(s): 20**

**Zoning District: Office with a zone change to Office - Planned Unit Development (PUD)**

**Land Area: 13.3 Acres**

**Number of lots: NA**

**Engineer: Thalmann Engineering, Inc.**

**Ward: 8**

**The applicant is requesting Master Plan Approval and a recommendation for a Zone Change to an Office - Planned Unit Development to construct a 27,300 square foot office building and a 99-unit multi-family residential condominium complex.**

### **Planning Department Findings for the Major Land Development Project**

**The Planning Department finds this proposal to be generally consistent with Article 1 "Purposes and General Statements" of the**

## **City's Development Review Regulations, and:**

- 1) Generally consistent with the Comprehensive Community Plan.**
- 2) Not in compliance with the standards and provisions of the City's Zoning Ordinance; therefore, requiring a City Council Zone change to an Office Planned Unit Development (PUD).**
- 3) That there will be no significant negative environmental impacts from the proposed development.**
- 4) That the development will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable, and:\**
- 5) That the proposed subdivision possesses adequate and permanent access to a public street.**

## **Planning Department Recommendation for the Land Development**

**Planning Department recommendation is to grant Master Plan approval with the following stipulations:**

- 1) That the Warwick City Council shall approve the requested zone change to an Office - Planned Unit Development (PUD).**

**2) That the parking calculation for the proposed office use shall be increased from one space per 250 square feet to one space per 200 square feet for medical office use as required in the City's Zoning Ordinance.**

**3) That the parking calculation for the residential development shall be 2.5 parking spaces per dwelling unit in order to provide sufficient visitor parking.**

**4) That based on the developer's current parking calculation of 348 total spaces the development is designed to accommodate between 22,000 and 27,300 square feet of office and between 85 and 99 residential dwelling units. As a result, the project should be restricted to not more than 27,300 square feet of medical office space and no more than 93 residential dwelling units.**

**5) That the developer's traffic study has determined that the Orchard Avenue site access intersection will not function at an acceptable Level of Service (LOS) at the PM peak hour. The report has determined a LOS (F) for both north and southbound traffic. As a result, the developer shall present alternative options for improvement of the intersection to and an acceptable LOS prior to City Council approval.**

**6) That the design engineer shall coordinate a pre-design meeting**



**with the City Engineer to discuss the proposed storm-water drainage system prior to preliminary approval.**

**7) That all storm-water shall be retained on-site and that connection to the municipal drainage system shall be prohibited.**

**8) That the developer shall provide a storm-water management plan in conformance with all City requirements which shall provide for “zero net runoff” as a minimum standard prior to City Council approval.**

**9) That the internal traffic pattern and parking areas should be reviewed to address the Narragansett Electric Easement and to consider improvement of traffic flow within the development.**

**10) That any encroachment onto the electrical easement shall be reviewed and approved by Narragansett Electric prior to City Council approval.**

**11) That a full “net flow” sewer capacity analysis shall be performed and certified by a licensed professional engineer (PE) and approved by the Warwick Sewer Authority which shall demonstrate that the “net flow” anticipated from the proposed project can be accommodated by the Warwick Sewer System prior to City Council approval.**

**12) That the sewer capacity analysis shall demonstrate that the down**

**stream facilities are adequate to accommodate the proposed net flow increase.**

**13) That a landscape plan designed and signed by a Rhode Island Licensed Landscape Architect which shall meet all of the City's design requirements and shall include provisions for safe pedestrian and bicycle access shall be approved by the City's Landscape Project Coordinator prior to preliminary approval.**

**14) That all state permits including, but not limited to, a RIDEM, Underground Injection Control (UIC) and a RIDOT, Physical Alteration Permit (PAP) shall be required prior to preliminary approval.**

#### **Planning Department Findings for the requested Zoning Changed**

**The Planning Department finds this proposal to be in compliance with the City's Comprehensive Plan including the Goals and Policies Statement, the Implementation Program, the Land Use Element and Housing Element and the Economic Development Element. The Planning Department also finds the proposed zoning amendment to be generally consistent with the following purposes of the City's Zoning Ordinance as presented in Section 100 "Title and Purpose":**

**103.1 Promote the public health, safety and general welfare of the City.**

**103.2 Provided for a range of uses and intensities of use appropriate to the character of the city and reflects current and future needs.**

**103.3 Provides for orderly growth and development, which recognizes:**

**(A) The goals and patterns of land use contained in the Comprehensive Plan of the City.**

**(B) The natural characteristics of the land, including its suitability for use based on soil characteristics and topography.**

**(E) The availability and capacity of existing and planned public and/or private services and facilities.**

**(F) The need to shape and balance the urban and suburban development.**

**103.8 Promote a balance of housing choices, for all income levels and groups.**

**103.10 Promotes a high level of quality in design in the development of private and public facilities.**

**103.11 Promotes implementation of the Warwick Comprehensive Community Plan, as amended.**

## **Planning Department Recommendation for the Zone Change**

**Planning Department recommends favorable action to the Warwick City Council for a zone change with all of the stipulations recommended for Master Plan approval.**

### **Public Meeting**

#### **Request for Extension**

#### **Minor Land Development Project**

#### **Ives Bluff**

**Applicant: John Brendan Wynne Intervivos Trust**

**Location: Old Forge Road**

**Assessor's Plat: 209**

**Lot(s): 1 & 6**

**Zoning District: Planned District Residential (PDR) A-10/A-40**

**Land Area: 13.4 Acres**

**Number of lots: NA**

**Engineer: S.F.M. Engineering Associates**

**Ward: 9**

**The applicant is requesting an extension of a Master Plan approval of a Major Land Development Project to construct a 42-unit residential**

**condominium complex on two lots totaling 13.4 acres in a Planned District Residential (PDR) A-10/A-40 zoning district. This extension request is for a project that was originally approved by the Planning Board in March 1998.**

## **Planning Department Findings**

**The Planning Department finds the following:**

- 1) The project is consistent with the Comprehensive Plan, and the Comprehensive Plan has not changed substantially since the time of the original application as it would apply to this project.**
- 2) The Development Review Regulations, the Zoning Ordinance, and all applicable state and federal regulations are substantially the same as they were at the time of the original application, as they would apply to this project.**
- 3) The Zoning Map designation for the subdivision has not changed since the time of the original application.**
- 4) No substantial change to the physical conditions of the subdivision or the neighboring property has occurred since the time of the original application.**

## **Planning Department Recommendation**

**The Planning Department recommendation is to grant the extension to expire on March 11, 2006.**

## **Bond Reduction**

### **Scolly Street**

**Current bond totals   \$5,100.00**

**Amount to be released \$3,600.00**

**\$1,500.00**

## **Administrative Subdivisions**

**The Wlodarski Plat   Plat: 314   Lots: 75 & 76**